

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

FACSIMILE

150 East 42nd Street
New York, New York 10017-5639

Telephone No. : 212-490-3000
Facsimile No. : 212-490-3038

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Date: September 12, 2012
From: Coleen Friel Middleton Extension 5748
Attorney No.: 8039
File No.: 99901.00238
Re: United States v. John Doe, 98 CR 1101

To: The Honorable Brian M. Cogan
United States District Judge for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11202

Fax No. : 718-613-2236

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WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP150 East 42nd Street, New York, New York 10017

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September 12, 2012

BY FACSIMILE (718) 613-2236

The Honorable Brian M. Cogan
United States District Judge for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11202

Re: United States v. John Doe. 98 CR 1101

Dear Judge Cogan:

I am writing to seek clarification regarding a procedural issue in the above-referenced matter.

On September 7, 2012, John Doe submitted a letter brief as a "supplement" to his application for an Order to Show Cause filed on February 10, 2012. The letter alleges further contemptuous conduct on the part of "Richard Roe" and Richard E. Lerner, Esq.

We seek clarification as to whether this Court will consider the September 7 letter in deciding the application for an Order to Show Cause. If so, we respectfully request permission to file a brief in response to the September 7 letter on behalf of Richard E. Lerner, Esq.

This letter is not being filed as an ECF letter, as required by your Honor's Individual Practices. The reason is that the entire docket, as the Court is aware, remains under seal with the exception of the docket sheet. Accordingly, we ask that this letter be filed under seal.

Very truly yours,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP



Colleen Friel Middleton

CFM/bjm

cc: Todd Kaminsky, Esq.
Frederick M. Oberlander
Nader Mobargha, Esq.

***** -COMM. JOURNAL- ***** DATE SEP-11-2012 ***** TIME 17:24 *****

MODE = MEMORY TRANSMISSION

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-U.S. DISTRICT COURT -

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Case 1:12-mc-00557-BMC Document 45 Filed 09/11/12 Page 1 of 1 PageID #: 592

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JOHN DOE,

Petitioner,

- against -

RICHARD ROE, et al.,

Respondents.

X

AMENDED ORDER

12-mc-0557 (BMC)

X

On August 22, 2012, a sealed miscellaneous docket bearing the number 12-mc-0557 was created for the civil contempt proceedings commenced by John Doe against Richard Roe and Richard Lerner. By Order dated September 4, 2012, the docket sheet and all documents filed within were opened up solely to case participants. Any objection to the unsealing of the docket sheet shall be filed with the Court via ECF, under the above docket number, by September 18, 2012. The objection or objections, if any, shall describe what information should remain sealed, and why such sealing complies with the dictates of Hartford Courant Co. v. Pellegrino, 380 F.3d 83 (2d Cir. 2004).

SO ORDERED.

s/ BMC

U.S.D.J.

Dated: Brooklyn, New York
September 11, 2012